

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

M&J LANDSCAPE PRODUCTS, LLC &
MARK SIEVERT,

Plaintiffs,

V.

PA LUMBERMENS MUTUAL INSURANCE:
COMPANY,

Defendant.

Civil Action No.: 15-cv-04597 (AET) (LHG)

**NOTICE OF DISMISSAL WITHOUT
PREJUDICE PURSUANT TO FED. R.
CIV. PRO. 41(A)(1)(A)**

IN THIS MATTER, plaintiffs M&J Landscape Products, LLC & Mark Sievert (together, "Plaintiffs") and defendant Pennsylvania Lumbermens Mutual Insurance Co. ("Defendant") have asserted claims against each other regarding Plaintiffs' right to insurance coverage from Defendant for the claims asserted against Plaintiffs in the lawsuit captioned Diem v. County Waste et al., pending in the Superior Court of New Jersey, Law Division, Ocean County, under docket no. OCN-L-3783-13 (the "State Court Action"); and

The issue of Plaintiffs' right to insurance coverage from Defendant for the claims asserted against Plaintiffs in the State Court Action is being, or will shortly be, litigated in the State Court Action.

Therefore, pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, respective counsel for Plaintiffs and for Defendant hereby stipulate and agree that all claims asserted in this action shall be dismissed without prejudice and without costs to any party.

GOLDBERG SEGALLA LLP
Attorneys for Plaintiffs,
M&J Landscape Products, LLC
Mark Sievert

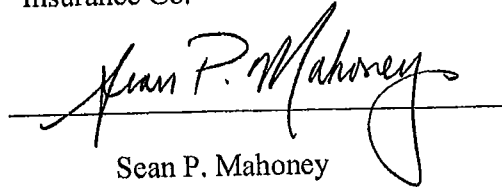


Christian A. Cavallo

Dated: 1/15/2016

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WHITE & WILLIAMS LLP
Attorneys for Defendant,
Pennsylvania Lumbermens Mutual and
Insurance Co.



Sean P. Mahoney

Dated: 1/15/2016